

**PLANNING COMMISSION MINUTES OF NOVEMBER 28, 2005**

**2005-0985** – Appeal of a Condition of Approval by the Director of Community Development to require modification to the proposed roof pitch for a Single Family Design Review located at **929 Lois Avenue** (near W Knickerbocker Dr) in an R-0 (Low-Density Residential) Zoning District. RK

**Ryan Kuchenig**, Assistant Planner, presented the staff report. Mr. Kuchenig provided a correction to the data table on page 3 of the staff report, stating that the Existing Gross Floor Area is 1359 square feet and the Proposed Gross Floor Area is 2193 square feet. He provided to the Commission a letter received from the applicant today.

**Chair Hungerford opened the public hearing.**

**Steve Aced**, the designer of the project, asked that the roof pitch of the house be maintained as designed. He said the applicants asked him to assist in enlarging the home, to provide high ceilings, to have the completed project not look like it had been added on to, and that it fit into the neighborhood with some self expression. He said the neighborhood is predominantly single-story ranch style homes, but that this neighborhood is in transition and has a variety of styles. He provided pictures of homes in the area showing the diversity of styles in the neighborhood. He said the design they have chosen is legitimate and compatible with the neighborhood. He said this is a neighborhood in transition and there are many remodels being done. He said that many of the roofs in the neighborhood are equally or more inclined than this proposed 9.5 foot by 12 foot pitch roof.

**Comm. Moylan** said that the seven design guidelines that the Commission is to apply were adopted fairly recently. Some of the style diversity in design around the City was approved prior to the current guidelines. He referred to design guideline 2.2.2, Attachment A, "Respect the scale, bulk and character of homes in the adjacent neighborhood," and said that none of the houses shown are in the "adjacent" neighborhood, in his opinion. Mr. Aced confirmed that if you stood on the proposed property that none of the homes shown in the pictures were visible from the property. Comm. Moylan referred to design guideline 2.2.3, Attachment A, "Design homes to respect their immediate neighbors," and said there was a letter from an immediate neighbor that feels the design does not respect their property regarding the shading. Mr. Aced said a shading study reflected a minimal impact to the neighbor.

**Barry Friedman and Susan Jones**, the applicants, said that this is an extensive remodel though the expansion is modest. Mr. Friedman said they needed to balance several factors including meeting their needs, conformance to regulations and consideration of neighbors. He said the corner lot has been a challenge. He said, other than one exception, they have received strong

approval and support of the neighbors of the design created. He said that they feel that the proposed roof pitch is compatible with neighborhood and falls within the neighborhood range of diversity. He said that reducing the roof pitch would alter the character of the home and negatively impact the aesthetic quality. He asked that the Planning Commission grant the appeal and approve the design review without modifying the roof pitch.

**Mark Bowers**, a neighbor, said that his house shares about 100 feet of side-yard fence with the applicant's property. He is requesting that the Commission deny the appeal and go further, either denying the design entirely or upholding the Condition of Approval (COA) regarding roof height and add a requirement that the footprint be moved to the east towards Lois Avenue as far as the setbacks allow. Mr. Bowers provided photos showing his concerns about the design and the significant impact due to shading that it would have on his home and garden space. He said the photos shown are of adjacent homes to the proposed project. He is concerned that the shading will turn part of his property and home into a dark tunnel. He said he respectfully asks that the Commission take his concerns into account and deny the project and ask the applicant to come up with a different design that is more respectful of their concerns.

**Comm. Moylan** said that on page 6 of the report the shading issue is addressed and that the proposed design does not shade the neighboring houses more than the code allows. He asked Mr. Bowers what the shading concern is. Mr. Bowers said that the shading study addresses the use of the roof for solar collectors. He said that their concern is the shading below the roof including the windows, the side of house and the garden. Mr. Bowers asked that Commission go beyond the minimum standards and look to the design guidelines which talk about compatibility and not imposing on neighbors.

**Mr. Aced** said the shading is not an issue. He referred to a letter from Mr. Bowers and addressed several discrepancies regarding the shading of windows, roof pitch, exterior rock, and decorative elements.

**Chair Hungerford closed the public hearing.**

**Chair Hungerford** asked staff about the roof pitch debate of the proposed 9.5 feet by 12 feet vs. 8 feet by 12 feet and what the difference of 1 ½ feet would actually mean. Mr. Kuchenig said it would decrease the roof height by 1 ½ feet. Ms. Ryan further explained that there is less mass of the roof on 8 foot by 12 foot pitch as the angle shallower. She said the style of this home with a steeper roof makes the roof more visible. Staff felt by lowering the pitch that the mass of the roof would have less visual impact.

**Comm. Babcock** confirmed with staff the applicant could build a two-story house in this area and asked what the height of the roof would be. Mr. Kuchenig said the height limit for a two-story structure would be 30 feet. Ms. Ryan added that

all second-story and significant additions require a design review and staff would look for compatibility with the single-family design guidelines.

**Comm. Babcock moved for Alternative 3, to grant the appeal and approve the Design Review without the condition to modify the roof pitch. Comm. Sulser seconded.**

**Comm. Babcock** said the height of roof is allowable. She said she likes the uniqueness of the design and that she is a proponent of diversity in our neighborhoods. She said she thinks the applicant has worked hard to blend with the streetscape.

**Comm. Moylan** said he will not be supporting the motion, that the staff was reasonable in the interpretation of the design guidelines and he is supportive of the staff's original decision.

**Comm. Simons** said that he is on fence with this project, but will be supporting the motion. He said the Commission wants designs to be conforming, but different and that he is for a bit of diversity in certain neighborhoods including this one.

**Final Action:**

**Comm. Babcock made a motion on 2005-0985 to grant the appeal and approve the Design Review without the condition to modify the roof pitch. Comm. Sulser seconded.**

**Motion carried 5-2, Comm. Klein and Comm. Moylan dissenting.**

**This item is not appealable.**